

# EXHIBIT A

# STATE OF NORTH CAROLINA

MECKLENBURG

County

File No.

21-CVS-

10034

In The General Court Of Justice

☐ District

☒ Superior Court Division

Name Of Plaintiff

TOWN OF PINEVILLE

Address

City, State, Zip

VERSUS

Name Of Defendant(s)

NORFOLK SOUTHERN RAILWAY COMPANY

## CIVIL SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3 and 4

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

### To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

Norfolk Southern Railway Company  
c/o Corporation Service Company, Registered Agent  
2626 Glenwood Avenue, Suite 550  
Raleigh NC 27608

Name And Address Of Defendant 2



**IMPORTANT! You have been sued! These papers are legal documents, DO NOT throw these papers out! You have to respond within 30 days. You may want to talk with a lawyer about your case as soon as possible, and, if needed, speak with someone who reads English and can translate these papers!**

**¡IMPORTANTE! ¡Se ha entablado un proceso civil en su contra! Estos papeles son documentos legales. ¡NO TIRES estos papeles!**

**Tiene que contestar a más tardar en 30 días. ¡Puede querer consultar con un abogado lo antes posible acerca de su caso y, de ser necesario, hablar con alguien que lea inglés y que pueda traducir estos documentos!**

### A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Amy P. Hunt/State Bar No. 34166  
OFFIT KURMAN, P.A.  
301 South College Street, Suite 2600  
Charlotte, N.C. 28202-6006

Date Issued

6-25-21

Time

10:08

☒ AM

☐ PM

Signature

*[Handwritten Signature]*

☒ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

### ☐ ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM

☐ PM

Signature

☐ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

**NOTE TO PARTIES:** Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

(Over)

AOC-CV-100, Rev. 4/18

© 2018 Administrative Office of the Courts

RETURN OF SERVICE			
I certify that this Summons and a copy of the complaint were received and served as follows:			
<b>DEFENDANT 1</b>			
Date Served	Time Served <div style="display: flex; justify-content: space-around;"><input type="checkbox"/> AM <input type="checkbox"/> PM</div>	Name Of Defendant	
<input type="checkbox"/> By delivering to the defendant named above a copy of the summons and complaint. <input type="checkbox"/> By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein. <input type="checkbox"/> As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below. <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>			
<input type="checkbox"/> Other manner of service (specify)			
<input type="checkbox"/> Defendant WAS NOT served for the following reason:			
<b>DEFENDANT 2</b>			
Date Served	Time Served <div style="display: flex; justify-content: space-around;"><input type="checkbox"/> AM <input type="checkbox"/> PM</div>	Name Of Defendant	
<input type="checkbox"/> By delivering to the defendant named above a copy of the summons and complaint. <input type="checkbox"/> By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein. <input type="checkbox"/> As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below. <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>			
<input type="checkbox"/> Other manner of service (specify)			
<input type="checkbox"/> Defendant WAS NOT served for the following reason:			
Service Fee Paid \$	Signature Of Deputy Sheriff Making Return		
Date Received	Name Of Sheriff (type or print)		
Date Of Return	County Of Sheriff		
AOC-CV-100, Side Two, Rev. 4/18 © 2018 Administrative Office of the Courts			

21-M-2403

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

FILED

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

21-CVS-10034

JUN 25 A 10:13

TOWN OF PINEVILLE,

MECKLENBURG CO., C.S.C.

Plaintiff,

BY \_\_\_\_\_

NOTICE OF LIS PENDENS

vs.

NORFOLK SOUTHERN RAILWAY  
COMPANY,

Defendant.

Plaintiff, Town of Pineville, hereby gives this Notice of *Lis Pendens* pursuant to N.C. Gen. Stat. § 1-116, *et seq.*

1. That the above-captioned civil action was instituted by the filing of the Summonses and Complaint simultaneously herewith.
2. This action includes a claim for quiet title/declaratory judgment.
3. That the property affected by this action is located in Mecklenburg County, North Carolina, with parcel ID 22105115.
4. This Notice of *Lis Pendens* is filed pursuant to N. C. Gen. Stat. § 1-116, *et seq.*, and all persons will take notice of the same.

This the 23<sup>rd</sup> day of June, 2021.

OFFIT KURMAN, P.A.

By: Amy P. Hunt by Bejamin N. McNeill

Amy P. Hunt/State Bar No. 34166

Robert B. McNeill/State Bar No. 13038

*Attorneys for Plaintiff*

301 South College Street, Suite 2600

Charlotte, N.C. 28202-6006

Telephone: 704/377-2500

Facsimile: 704/372-2619

E-mail: [amy.hunt@offitkurman.com](mailto:amy.hunt@offitkurman.com)

E-mail: [rob.mcneill@offitkurman.com](mailto:rob.mcneill@offitkurman.com)

4824-9681-3552, v. 1

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

**FILED** IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

21-CVS-10034

2021 JUN 25 A 10:09

MECKLENBURG CO., C.S.C.

TOWN OF PINEVILLE,

Plaintiff, BY \_\_\_\_\_

vs.

**COMPLAINT**

NORFOLK SOUTHERN RAILWAY  
COMPANY,

Defendant.

NOW COMES Plaintiff the Town of Pineville, complaining of Defendant Norfolk Southern Railway Company, and alleges and says as follows:

1. The Town of Pineville is a municipality in Mecklenburg County, North Carolina.
2. Upon information and belief, Norfolk Southern Railway Company ("Norfolk") is a company organized and existing under the laws of the Commonwealth of Virginia but is authorized to do business and does business in North Carolina. No monetary relief is sought from Norfolk.
3. Jurisdiction and venue are proper in this court.
4. Upon information and belief, Plaintiff owns several tracts of real property in Mecklenburg County, North Carolina. Several of these are adjacent to the railroad owned by Defendant.
5. A dispute has arisen regarding ownership of a portion of one of these tracts.
6. Upon information and belief, Norfolk may claim title to a portion of that real property with parcel ID 22105115 and shown by the Mecklenburg County tax records as owned by Plaintiff (the "Disputed Land").
7. Plaintiff obtained title to at least a portion of the Disputed Land by that deed from Ada Haynes, recorded on September 28, 2000 in Book 11604, Page 813 of the Mecklenburg County Public Registry. A true and accurate copy of the Haynes deed is attached hereto and incorporated herein by reference as **Exhibit A**.
8. The property described in the Haynes deed was originally granted by JW Morrow in that deed recorded on December 14, 1884 in Book 39, 334 of the Mecklenburg County Public Registry. A true and accurate copy of the 1884 Deed is attached hereto and incorporated herein

by reference as **Exhibit B**.

9. Plaintiff is the rightful owner of at least a portion of the Disputed Land based on the deed attached as Exhibit B and the chain of title prior thereto.

10. Upon information and belief, Norfolk may be claiming title to the Disputed Land based on an 1852 deed from JW Morrow to Charlotte and South Carolina Railroad Company; however, this deed was not recorded until 1904—after the 1884 Deed—and was recorded in Book 190, Page 219 of the Mecklenburg County Public Registry. A true and accurate copy of the Railroad Deed is attached hereto and incorporated herein by reference as **Exhibit C**.

11. Because the 1884 Deed was recorded before the Railroad Deed, it takes priority, and the Town of Pineville has a superior claim of title to that portion of the Disputed Land.

12. Plaintiff disputes that the Railroad Deed conveyed the Disputed Land to any predecessor of Norfolk such that Norfolk would not have any claim to title to any portion of the Disputed Land.

13. Additionally, the Railroad Deed upon which Norfolk may be claiming title is an invalid deed, as it is illegible, and the legal description for any property purporting to be conveyed thereby cannot be determined from it.

14. Upon information and belief, it cannot be determined from the face of the Railroad Deed that it conveys any portion of the Disputed Property to Norfolk or its predecessor.

15. The Town of Pineville has exercised continuous, open, hostile, notorious possession of the Disputed Tract since approximately 2000, and, in fact, the police station is located on the Disputed Tract.

16. Pursuant to N.C. Gen. Stat. § 1-253, *et seq.*, and § 1-10, the Town of Pineville is entitled to a declaration that it owns fee simple title to the Disputed Land, free and clear of any interests of Defendant.

WHEREFORE, Plaintiff respectfully prays the Court as follows:

1. That the Court quiet title and enter a declaratory judgment determining that the Disputed Land is owned by Plaintiff, free and clear of any claims by Defendant;
2. That Plaintiff have and recover its costs in this action; and
3. For such other and further relief as the Court deems just and proper.

This the 23<sup>rd</sup> day of June, 2021.

OFFIT KURMAN, P.A.

By:   
Amy P. Hunt/State Bar No. 34166  
Robert B. McNeill/State Bar No. 13038  
*Attorneys for Plaintiff*  
301 South College Street, Suite 2600  
Charlotte, N.C. 28202-6006  
Telephone: 704/377-2500  
Facsimile: 704/372-2619  
E-mail: [amy.hunt@offitkurman.com](mailto:amy.hunt@offitkurman.com)  
E-mail: [rob.mcneill@offitkurman.com](mailto:rob.mcneill@offitkurman.com)

4839-3479-3452, v. 1



FOR REGISTRATION JUDITH A GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2000 SEP 28 02:59 PM  
BOOK 11604 PAGE 813-816 FEE \$12.00  
NC REAL ESTATE EXCISE TAX \$250.00  
INSTRUMENT # 2000140925

Excise Tax \$250.00

Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. 221-051-12  
Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_

Mail after recording to Grantee

This instrument was prepared by Horack, Talley, Pharr & Lowndes, P.A. (CDS)

Brief Description for the index


### NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this \_\_\_\_\_ day of September, 2000, by and between

GRANTOR

Ada G. Haynes, unmarried

GRANTEE

Town of Pineville

P.O. Box 249  
Pineville, NC 28134

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Charlotte, Mecklenburg County, North Carolina and more particularly described as follows:

Beginning at a stake in the Road or street on the West side of the Charlotte-Columbia and Augusta Railroad, 65 feet from the center of the track of said Railroad; runs with said street 99 feet more or less to W.L. Fisher's corner; thence South 53 and 1/2, West 91 and 1/2 yards with said Fisher's line to a stake; thence South 36 and 1/2 East 22 yards to an iron bar and railroad line; thence with said railroad line to the beginning, containing four thousand and seventy square yards more or less (4070).



The property hereinabove described was acquired by Grantor by instrument recorded in Book 1387 , Page 432.

A map showing the above described property is recorded in , .

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Lien of 2001 ad valorem taxes not yet due and payable.
2. All conditions, easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

USE BLACK INK ONLY

*Ada G. Haynes by her Attorney in Fact*  
*Willie C. James* (SEAL)  
Ada G. Haynes by her Attorney in Fact  
Willie C. James

(SEAL)



NORTH CAROLINA, County of mecklenburg

I, Susan U. McConnell, a Notary Public of the County and State aforesaid, certify that , Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 22nd day of September, 2000.

My commission expires: 10-8-2000

*Susan U. McConnell*  
Notary Public

The foregoing Certificate(s) of \_\_\_\_\_

is/are certified to be correct. This instrument and this certificate are duly registered at the date and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR \_\_\_\_\_ COUNTY

By \_\_\_\_\_ Deputy/Assistant-Register of Deeds.

STATE OF North Carolina  
COUNTY OF Mecklenburg

I, Susan U. McConnell, a Notary Public for said County and State, do hereby certify that Willie C. James, attorney in fact for Ada G. Haynes, personally appeared before me this day, and being by me duly sworn, says that he/she executed the foregoing and annexed instrument for and in behalf of the said Ada G. Haynes, and that his/her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded in the office of The Register of Deeds in the County of Mecklenburg, State of North Carolina on the 22<sup>nd</sup> day of September, 2000, in Book 11604, Page 813 and that this instrument was executed under and by virtue of the authority given by said instrument granting him/her power of attorney.

I do further certify that the said Willie C. James, acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said Ada G. Haynes.



Witness my hand and official seal, this the 22<sup>nd</sup> day of September, 2000.

Susan U. McConnell  
Notary Public

My Commission Expires: 10.8.2000



JUDITH A. GIBSON  
REGISTER OF DEEDS , MECKLENBURG COUNTY  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE NC 28202

\*\*\*\*\*

Filed For Registration: 09/28/2000 02:58 PM  
Book: RE 11604 Page: 813-816  
Document No.: 2000140925  
DEED 4 PGS \$12.00  
NC REAL ESTATE EXCISE TAX: \$250.00  
Recorder: JESSIE YOUNG

\*\*\*\*\*

State of North Carolina, County of Mecklenburg

The foregoing certificate of SUSAN U MCCONNELL Notary is certified to be correct. This 28TH of September 2000

JUDITH A. GIBSON, REGISTER OF DEEDS By  
Deputy/Assistant Register of Deeds

\*\*\*\*\*



2000140925



State of North Carolina,  
Mecklenburg County,

The foregoing deed was duly proven by oath of the  
subscribing witness let it with this certificate  
be registered 17 day of Nov 1884

Jno E. Eason C. C.

State of North Carolina,  
Mecklenburg County,

This Indenture made this fourteenth day of December A.D. 1884  
by J. H. Morrow of Mecklenburg County, State of North  
Carolina, to J. H. Morrow wife of William Moore of Meck-  
lenburg County, and State of North Carolina, Witnesseth  
that said J. H. Morrow in consideration of two hundred  
and six dollars to him paid by J. H. Moore the receipt  
of which is hereby acknowledged, has bargained and  
sold and by these presents do bargain sell and convey  
to said J. H. Moore and her heirs all that lot of land  
lying in Mecklenburg County, State of North Carolina  
of J. H. Morrow adjoining the lands of R. C. & A. H. Reed  
H. H. Fisher and others bounded as follows viz:  
Beginning at a stake in the road or street on the West  
side of the Rail Road sixty five feet from the center of  
said Railroad tract thence with said Street ninety nine  
(99) feet more or less to H. H. Fisher corner thence S 33 1/2 E 11 1/2  
yards with H. H. Fisher line to a stake thence S 36 1/2 E 22  
yards to Iron Bar and Railroad line, thence with Railroad  
line to the beginning containing four thousand &  
seventy square yards more or less to have and to hold  
the of said lot of land and all privileges and appurtenances  
thereto belonging including the right of dower of J. H. Morrow  
herein covert to the said J. H. Moore her heirs and assigns  
to her only use and behoof And the said J. H. Morrow  
covenants that he is seized of said premises in fee and  
has right to convey the same in fee simple; that the same  
are free from all incumbrances and that he will  
warrant and defend the said title to the same against  
the claims of all persons whatsoever In Testimony  
Whereof the said J. H. Morrow & J. H. Morrow have  
hereunto set their hands and seals the day and  
year above written

attest  
J. H. Morrow  
J. H. Morrow

J. H. Morrow (seal)  
J. H. Morrow (seal)

EXHIBIT

B



Dr. Mather leaves the party of the first part has caused it to be sent to open the road and to off it and there, and its location to enter the station of the same.

Practical

Franklin

John. Hine Squat,  
Pearl River County

**EXHIBIT**

tables.\*



and direct to said Railroad Company, and also for the benefit of a Railroad the receipt whereof the said Geo. M. Morris does hereby acknowledge. That said, Grant, Beginning at a place called and designated, and by these documents, doth the said Grant, Beginning and Thence, (then said) thence into the said Cherokee and South Carolina Railroad Company and its assigns from well that Shady Grove or Point of Land, Situate, lying, and being in the County of Mecklenburg near to Big Spring Creek on the line of said Rail Road, Beginning at Station 541 of said railroad and runs 247 feet to a stake at right angle to the line of said Rail Road on the East side of the same, thence by a line parallel to the center of said Rail Road six hundred and fifty two feet towards the Southern terminus of said Rail Road to a stake, thence by a line crossing said Rail Road at Station 565 and at right angles to the same, six feet to a stake, thence by a line parallel to the center of said Rail Road in the direction of the Northern terminus of the same, six feet to a stake, thence to the beginning at station 541 enclosing about 10 Acres, a portion of the right of way of said Road to which the same and about one mile N.E. of Big Spring Creek at the point where it is crossed by said Railroad said 10 acres bounded entirely by the land of J. M. Morris, and also all the Woods, Mays, Hayes and Water Convey and all and every the appurtenances thereto, Bologny, or in any manner appurtenant, and the Person and Persons, Remainder and Remainders, Parts, Parts and Profits of the premises Land and Tenements and every part thereof, and all the other, Rights, Title, Interest, Claim, Property and Demand whatsoever of the said John M. Morris.

Of, Or And To the Claim and Claimers hereby granted,  
To them and To their the aforesaid Land and Claimers,  
Under the Appentenance unto the said Charlotte and South  
Carolina Rail Road Company and its assigns, to the proper  
use and behoof of the said Rail Road Company forever pro-  
vided the same is used for purposes of a railroad. And  
the said Geo. H. Monro for himself and his heirs, the aforesaid  
Land and Claimers, and every part thereof, against himself  
and his heirs, and against the Claim or Claimers of all



And every other person or persons, relations, to the said  
 Charles and said Caroline, Richard Simpson and its heirs,  
 heirs and next friends Thomas and Robert by their power,  
 the abovesaid Thos, the said Jas. M. Morris has  
 himself or his heirs and assigns his heirs, the day and  
 year first above written.  
 Signed, sealed and delivered  
 in presence of  
 J. M. Morrison

R. E. McCallister Jr.  
 State of North Carolina  
 Mecklenburg County } October 28th 1857.  
 I certify that the contents of the within deed, made  
 passed in open Court by R. E. McCallister a witness thereto was  
 recorded and ordered to be recorded  
 13. Data 222

Filed Aug 11 1857  
 Registered Aug 27  
 1857  
 12 o'clock

State of North Carolina  
 Mecklenburg County } This deed by the said R. E.  
 McCallister is registered in my office in Book no. 366 71 October 28th 1857  
 J. M. Morris Reg

# **His Adventure**

In the year of our Lord one thousand eight hundred and  
 eighty two between Alexander Spriggs of the County of Mecklenburg  
 in the State of North Carolina of the one part and the  
 Charlotte and said Caroline Richard Simpson of the  
 other part,

Witnesseth, That the said Alexander Spriggs of the  
 one part and the said Charlotte and said Caroline Richard Simpson of the  
 other part by the said Charlotte and said Caroline Richard Simpson did  
 hereby acknowledge that they, Charles, Benjamin, and did  
 Charles and Benjamin, and by their heirs, doth this,  
 Charlotte and said Caroline Richard Simpson and its  
 assigns hereby, doth that said, doth or cause of doth, doth  
 say and say in the County of Mecklenburg and the  
 of Charlotte, and disposed in the Act of said State as



STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

TOWN OF PINEVILLE,

Plaintiff,

vs.

NORFOLK SOUTHERN RAILWAY  
COMPANY,

Defendant.

**FILED**  
IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

2021 JUL -6 P 2:09 21-CVS-10034

MECKLENBURG CO.. C.S.C.

BY \_\_\_\_\_

**AFFIDAVIT OF SERVICE**

Amy Hunt, first being duly sworn, deposes and says that:

1. She is an attorney of record for the plaintiff, Town of Pineville, in the above-entitled action, and she makes this Affidavit pursuant to Rule 4(j2) of the North Carolina Rules of Civil Procedure and N.C. Gen. Stat. § 1-75.10(4).
2. On June 25, 2021, a Civil Summons, Notice of Lis Pendens, and Complaint in this action were deposited in the United States Post Office for mailing by certified mail, return receipt requested, addressed to Defendant Norfolk Southern Railway Company, c/o Corporation Service Company, Registered Agent, at 2626 Glenwood Avenue, Suite 550, Raleigh, NC 27608.
3. The Post Office delivered the aforesaid papers June 28, 2021, at the address indicated to Heather Hughes, a person presumed to be authorized to accept service and who signed the return receipt. The electronic delivery receipt is attached as **Exhibit A**.

This the 6<sup>th</sup> day of July, 2021.

OFFIT KURMAN, P.A.

By: Amy Hunt  
Amy P. Hunt/State Bar No. 34166  
*Attorneys for Plaintiff*  
301 South College Street, Suite 2600  
Charlotte, North Carolina 28202-6006  
Telephone: 704/377-2500  
Facsimile: 704/372-2619  
E-Mail: Amy.Hunt@OffitKurman.com

SIGNED and SWORN TO (or AFFIRMED)  
and subscribed before me this day by Amy Hunt.

Date: July 6, 2021  
Chavon L. Matthews  
Chavon L. Matthews, Notary Public  
My commission expires: March 9, 2025




**CERTIFICATE OF SERVICE**

I, Amy Hunt, do hereby certify, that on this date that service of the foregoing **Affidavit of Service** was this date had upon the party herein by depositing a copy of same in the United States Mail, postage prepaid, addressed as follows:

Norfolk Southern Railway Company  
c/o Corporation Service Company, Registered Agent  
2626 Glenwood Avenue, Suite 550  
Raleigh, NC 27608

Dated this 16<sup>th</sup> day of July, 2021.

OFFIT KURMAN, P.A.

  
\_\_\_\_\_  
Amy Hunt